

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OTIS COLE,

Petitioner,

v.

Case No. 12-14826

Honorable Matthew F. Leitman

KEN TRIBLEY,

Respondent.

ORDER DENYING MOTION FOR DISCOVERY (ECF #22) AS MOOT

On October 30, 2012, Petitioner Otis Cole (“Petitioner”) filed a *pro se* application for a writ of habeas corpus under 28 U.S.C. § 2254. (*See* the “Petition,” ECF #1.) On February 4, 2015, the Court denied the Petition, declined to issue a Certificate of Appealability, and denied Petitioner leave to proceed *in forma pauperis* on appeal. (*See* ECF #20.) The Court then entered judgment in favor of Respondent Ken Tribley (“Respondent”) and closed the case. (*See* ECF #21.)

On February 13, 2015, Petitioner filed a “Motion for Discovery of Petitioner’s Mental Health Records.” (*See* the ECF #22.) As explained above, the Court has previously denied the Petition, entered judgment in Respondent’s favor, and closed the case. Petitioner is therefore not entitled to discovery.

Accordingly, **IT IS HEREBY ORDERED** that Petitioner's motion for discovery (ECF #22) is **DENIED** as moot.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 17, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 17, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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